UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of THE WALT DISNEY COMPANY,

Petitioner,

- against -

NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES & TECHNICIANS, THE BROADCASTING AND CABLE TELEVISION WORKERS SECTOR OF THE COMMUNICATIONS WORKERS OF AMERICA, LOCAL16, AFL-CIO,

Respondent/Cross-Petitioner,

- against -

ABC, INC.,

Cross-Respondent.

Civil Action No. 10 Civ. 5982 (SHS)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: ____
DATE FILED: 8/16/10

ORDER

Based on the application for the order to show cause and the attached affidavit and brief in support of the Respondent/Cross-Petitioner's motion to enforce the *subpoena duces tecum* and compel production of a document for *in camera* inspection, and all underlying papers ~~it appears to the Court that a *subpoena duces tecum*~~ was issued by Arbitrator Bonnie Siber Weinstock directing Mary Mooney, ~~Senior Counsel – Labor Relations at ABC, Inc. to produce witness Grace Yang's report for *in camera* inspection by the Arbitrator, that the *subpoena duces tecum* was properly served on Mary Mooney, Esq. on July 21, 2010, and Mary Mooney, Esq. failed to produce the document to the Arbitrator as directed by the *subpoena duces tecum*; therefore,~~ and extensive oral argument having been heard on August 16, 2010 on the record, now, IT IS hereby ORDERED that:

Petitioner Walt Disney Company and Cross-Respondent ABC, Inc show cause on August 17, 2010 in Room 23A of the United State District Courthouse, 500 Pearl Street, New York, New York 10007-1312, why an Order should not be entered

(i) granting Respondent/Cross-Petitioner's motion for an Order to compel production of the document for an *in camera* inspection by the Arbitrator as so ordered in the *subpoena duces tecum* dated July 21, 2010 and served on Mary Mooney, Senior Counsel – Labor Relations for ABC, Inc., on July 21, 2010, and

(ii) ordering Mary Mooney, Senior Counsel – Labor Relations for ABC, Inc., to produce the document so ordered in the *subpoena duces tecum* for the Arbitrator's *in camera* inspection for the purpose of determining and redacting any privileged attorney-client communications, and hearing attorney arguments regarding the same, and ~~no later than August ___, 2010.~~

Petitioners and cross respondent may also move to remand this action to state court on or before August 17.

Dated: August 16, 2010

UNITED STATES DISTRICT JUDGE